



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

APR 23 2015

VIA EMAIL AND U.S. EMAIL

Kerry L. McGrath
Hunton & Williams LLP
2200 Pennsylvania Ave NW
Washington, DC 20037
KMcGrath@hunton.com

Re: Freedom of Information Act Request FOIA - EPA-R9-2015-005491

Dear Ms. McGrath:

This is in response to your Freedom of Information Act request of March 23, 2015 for the Corps of Engineers' ("Corps") "final" Clean Water Act ("CWA") Jurisdictional Determination ("JD") (with attachments) and/or "final" combined Rivers and Harbors Act and CWA JD (with attachments) for the Redwood City Salt Plant in San Mateo County, California. We are unable to provide you with the requested record. This record originated from the Corps, and our consultation with the Corps indicates this document is exempt from mandatory disclosure by virtue of 5 U.S.C. § 552(b)(5)(deliberative process privilege). We also understand you have made a similar request for this document to the Corps.

You may appeal this denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed and includes the assigned FOIA request number EPA-R9-2015-005491. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Rich Campbell in our Office of Regional Counsel at 415-972-3870, should you have any questions concerning the matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Diamond", is positioned above the printed name.

Jane Diamond, Director
Water Division